

TUESDAY, JANUARY 21, 1986

FIFTY-EIGHTH LEGISLATIVE DAY

The House met at 4:30 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend William Dwyer, Cedar Grove Baptist Church, Lebanon, Tennessee.

Representative Bell led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 94

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

CORRECTION TO JOURNAL

On January 16, 1986 (page 2040), House Bill No. 1172 was in error referred to the Committee on Judiciary.

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House Bill No. 1172 was referred to the Committee on Transportation.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution No. 444; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Joint Resolution No. 444.

Mr. Speaker McWherter relinquished the Chair to Mr. Bivens, Speaker pro tem.

CONSENT CALENDAR

House Resolution No. 97--Relative to honoring Bill Morgan.

House Joint Resolution No. 447--Relative to honoring former Vanderbilt Coach George MacIntyre.

House Joint Resolution No. 448--Relative to memory, Abraham S. Harb.

House Joint Resolution No. 449--Relative to honoring Marvin Lane.

House Joint Resolution No. 450--Relative to commending MTSU Blue Raider football team.

House Joint Resolution No. 451--Relative to proclaiming FHA Hero Week.

Senate Joint Resolution No. 207--Relative to honoring Tennessee Children's Dance Ensemble.

Senate Joint Resolution No. 208--Relative to commending Dr. William M. Bass.

Mr. Gill moved that all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

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Ayes	96
Noes	0
Present and not voting	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --96.

Representative present and not voting was: Duer--1.

A motion to reconsider was tabled.

Mr. Cobb moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 466 out of order, which motion prevailed.

House Joint Resolution No. 466--Relative to memory, Dr. Ludwing Biermann--By Cobb.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Cobb, the resolution was adopted.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

218--Relative to joint convention, William M. Bass; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Scruggs moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 218 out of order, which motion prevailed.

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Senate Joint Resolution No. 218--Relative to joint convention, William M. Bass.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Scruggs, the resolution was concurred in.

A motion to reconsider was tabled.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 99

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hawkins, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore, Murphy, Murray, Naifeh, Nance, Napier, Patterson, Peroulas, Phillips, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--99.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 452--Relative to commending Rabbi Randall M. Falk--By Murphy, Kisber and West.

Under the rules, House Joint Resolution No. 452 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 454--Relative to memory, John R. Smith--By Peroulas, Davis (Knox), Scruggs, Miller, Drew, and Severance.

Under the rules, House Joint Resolution No. 454 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 455--Relative to honoring Tom Siler --By Severance, Peroulas, Miller, Drew, Scruggs and Davis (Knox).

Under the rules, House Joint Resolution No. 455 was referred to the Committee on Calendar and Rules.

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House Joint Resolution No. 456--Relative to commending W.S. "Babe" Howard--By Moore and Mr. Speaker McWherter.

Under the rules, House Joint Resolution No. 456 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 457--Relative to congratulating Miss Wendy Maria Laws--By Hawkins.

Under the rules, House Joint Resolution No. 457 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 458--Relative to memory, John K. Morgan--By Mr. Speaker McWherter, Turner (Hamilton), McAfee, Wood and Starnes.

Under the rules, House Joint Resolution No. 458 was referred to the Committee on Calendar and Rules.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 213--Relative to congratulating Coach Johnny Majors and U.T. football team.

Under the rules, Senate Joint Resolution No. 213 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 215--Relative to honoring Dr. Winfrey C. Link.

Under the rules, Senate Joint Resolution No. 215 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 216--Relative to congratulating Special Assistant Ken Donahue, U. T. football team.

Under the rules, Senate Joint Resolution No. 216 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1243--To make certain provisions, board of boiler rules--By King and Byrd.

Passed first consideration.

House Bill No. 1244--To continue department of labor--By King and Byrd.

Passed first consideration.

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House Bill No. 1245--To make provisions, elevator safety board
--By King and Byrd.

Passed first consideration.

House Bill No. 1246--To continue alcoholic beverage commission--By
King and Byrd.

Passed first consideration.

House Bill No. 1247--To make provisions, joint underwriting
association--By King and Byrd.

Passed first consideration.

House Bill No. 1248--To continue board of law examiners--By King
and Byrd.

Passed first consideration.

House Bill No. 1249--To continue code commission--By King and
Byrd.

Passed first consideration.

House Bill No. 1250--To continue Cherokee commission--By King
and Byrd.

Passed first consideration.

House Bill No. 1251--To make provisions, housing development
agency--By King and Byrd.

Passed first consideration.

House Bill No. 1252--To make provisions, personnel recruiting
services board--By King and Byrd.

Passed first consideration.

House Bill No. 1253--To continue medical board of consolidated
retirement system--By King and Byrd.

Passed first consideration.

House Bill No. 1254--To terminate Tennessee River basin compact
--By King and Byrd.

Passed first consideration.

House Bill No. 1255--To continue board of examiners for mines--By
King and Byrd.

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Passed first consideration.

House Bill No. 1256--To continue Tennessee Arts Commission--By King and Byrd.

Passed first consideration.

House Bill No. 1257--To continue various governmental entities --By King and Byrd.

Passed first consideration.

House Bill No. 1258--To continue higher education commission--By King and Byrd.

Passed first consideration.

House Bill No. 1259--To continue board for licensing health care facilities--By King and Byrd.

Passed first consideration.

House Bill No. 1260--To continue student assistance corporation --By King and Byrd.

Passed first consideration.

House Bill No. 1261--To amend governmental entity review law--By King and Byrd.

Passed first consideration.

House Bill No. 1262--To continue consolidated retirement system --By King and Byrd.

Passed first consideration.

House Bill No. 1263--To continue aeronautics commission--By King and Byrd.

Passed first consideration.

House Bill No. 1264--To terminate tollway authority--By King and Byrd.

Passed first consideration.

House Bill No. 1265--To continue appellate court nominating commission--By King and Byrd.

Passed first consideration.

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House Bill No. 1266--To make provisions, housing rehabilitation corporation--By King and Byrd.

Passed first consideration.

House Bill No. 1267--To make provisions, joint underwriting association stabilization reserve fund--By King and Byrd.

Passed first consideration.

House Bill No. 1268--To continue state textbook commission--By King and Byrd.

Passed first consideration.

House Bill No. 1269--To continue state law library commission--By King and Byrd.

Passed first consideration.

House Bill No. 1270--To continue board of occupational and physical therapy examiners--By King and Byrd.

Passed first consideration.

House Bill No. 1271--To continue state library and archives advisory commission--By King and Byrd.

Passed first consideration.

House Bill No. 1272--To continue prevailing wage commission--By King and Byrd.

Passed first consideration.

House Bill No. 1273--To continue state library and archives management board--By King and Byrd.

Passed first consideration.

House Bill No. 1274--To provide for Tombigbee waterway development authority--By King and Byrd.

Passed first consideration.

House Bill No. 1275--To continue occupational safety and health review commission--By King and Byrd.

Passed first consideration.

House Bill No. 1276--To make certain provision, delinquent property taxes--By Copeland.

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Passed first consideration.

House Bill No. 1277--To make certain provision, Shelby County board of commissioners--By Byrd

Passed first consideration.

House Bill No. 1278--To make certain provisions, polygraph examiners--By Scruggs.

Passed first consideration.

House Bill No. 1279--To make certain exemption, tax on stocks and bonds--By Scruggs.

Passed first consideration.

House Bill No. 1280--To regulate public purchases and contracts --By Scruggs.

Passed first consideration.

House Bill No. 1281--To provide for disclaimer of certain property or interests--By Copeland.

Passed first consideration.

House Bill No. 1282--To authorize payments in lieu of taxes, certain electric systems--By Bragg and Copeland.

Passed first consideration.

House Bill No. 1283--To set court costs, certain counties--By Moore.

Passed first consideration.

House Bill No. 1284--To regualte practice of dentistry--By Wheeler.

Passed first consideration.

House Bill No. 1285--To provide right of redemption, certain real property--By Wheeler.

Passed first consideration.

House Bill No. 1286--To amend Employment Security Law--By Miller, Scruggs and Davis (Knox).

Passed first consideration.

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House Bill No. 1287--To define ineligibility for employment, public contracts--By Scruggs.

Passed first consideration.

House Bill No. 1288--To amend Chapter 191, Public Acts of 1985 --By Scruggs, Peroulas, Davis (Knox), Severance and Miller.

Passed first consideration.

House Bill No. 1289--To amend Retailers' Sales Tax Act--By Hillis, DePriest, Rhinehart and Murray.

Passed first consideration.

House Bill No. 1290--To change hours of sale, alcoholic beverages--By Clark (Sumner).

Passed first consideration.

House Bill No. 1291--To make certain provisions, utility districts--By Clark (Sumner).

Passed first consideration.

House Bill No. 1292--To increase litigation tax, Sumner County --By Clark (Sumner) and Wix.

Passed first consideration.

House Bill No. 1293--To establish homebuyers revolving loan fund pool--By Dixon, Brewer, Williams, Byrd, Robinson (Hamilton), Murphy, Jones, Burnett, Love, Naifeh, Rhinehart, Davidson, Jared, Wheeler, Work, Collier, DePriest, Covington, Kernell, Kent, Cross, Winningham, Turner, C. (Shelby), Gill, King, Hobbs, Pruitt, Starnes, Gafford, Napier, Turner (Hamilton), Gaia, Murray, Darnell, Kisber, Ellis, Crain, Hillis, Dills, Bivens, Yelton, Ivy, Ridgeway, Curlee, Tanner, DeBerry and Turner, L. (Shelby).

Passed first consideration.

House Bill No. 1294--To appropriate funds, homebuyers revolving loan fund--By Dixon, Brewer, Byrd, Collier, Williams, Love, DeBerry, Miller, Murphy, Burnett, Naifeh, Rhinehart, Davidson, Jared, Wheeler, DePriest, Work, Kent, Covington, Kernell, Robinson (Hamilton), Cross, Winningham, Gill, King, Turner, C. (Shelby), Hobbs, Turner, L. (Shelby), Pruitt, Starnes, Napier, Gafford, Turner (Hamilton), Bivens, Murray, Darnell, Kisber, Byrd, Ellis, Tanner, Crain, Gaia, Hillis, Dills, Yelton, Ridgeway, Curlee and Ivy.

Passed first consideration.

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House Bill No. 1295--To expand duties of Soil Conservation Committee--By Byrd.

Passed first consideration.

House Bill No. 1296--To prohibit obstruction of waterways--By Byrd.

Passed first consideration.

House Bill No. 1297--To make certain provisions, longevity pay --By Miller.

Passed first consideration.

House Bill No. 1298--To make certain provisions, general sessions courts--By Murphy.

Passed first consideration.

House Bill No. 1299--To amend Comprehensive Correction Improvement Act--By Murphy.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1189--To provide security services, certain housing projects.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1190--To make certain provisions, marriage licenses.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1191--To provide for certain county clerk's fees.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1192--To increase fees, certain motor vehicle tags.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 1193--To provide fee for county clerks issuing beer bonds.

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Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1194--To make certain provisions, property assessment.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1195--To make certain provisions, generic drugs.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1196--To make certain provisions, conflicts of interest.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1197--To exempt sets or staging for certain productions from sales tax.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1198--To amend Section 8-50-109, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1199--To make certain provisions, alcoholic beverages.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1200--To add additional members, Civil Service Merit Board, Shelby County.

Passed second consideration and held without reference.

House Bill No. 1201--To make certain provisions, hospital records.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1202--To regulate admission of certain test results in evidence.

Passed second consideration and referred to Committee on Judiciary.

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House Bill No. 1203--To define certain authority, peace officers.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1204--To amend Section 39-3-1203, Code.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1205--To make certain provisions, workers' compensation claims.

Passed second consideration and referred to Committee on Labor and Consumer Affairs.

House Bill No. 1206--To make certain provisions, social workers.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1207--To make certain provisions, pharmacists.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1208--To enact Technology and Education Promotion and Partnership Act.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1209--To require confiscation of vehicles, certain offenses.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1210--To make certain provisions, unemployment compensation.

Passed second consideration and referred to Committee on Labor and Consumer Affairs.

House Bill No. 1211--To authorize bond issue, correction facilities.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1212--To make certain provisions, civil actions.

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Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1213--To protect employees serving on juries.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1214--To create office of county attorney, Campbell County.

Passed second consideration and held without reference.

House Bill No. 1215--To provide compensation to state employees subject to assault.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1216--To provide for presidential preference primary.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1217--To establish board of education, Carter County.

Passed second consideration and held without reference.

House Bill No. 1218--To make certain provisions, land surveyors.

Passed second consideration and referred to Committee on Labor and Consumer Affairs.

House Bill No. 1219--To enact Tax Equalization and Reform Act.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1220--To amend Section 55-11-208, Code.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 1221--To revise fees under Medical Laboratory Act.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1222--To provide for home instruction, certain students.

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Passed second consideration and referred to Committee on Education.

House Bill No. 1223--To provide for television coverage, General Assembly.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1224--To increase compensation, assistant district attorneys general.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1225--To require certain information on real property deeds.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1226--To make certain provisions, assessment of property.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1227--To regulate release of certain public records.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1228--To make certain provisions, sale of conveyances.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1229--To limit late charges for public housing rent payments.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1230--To make certain provisions, county correctional facilities.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1231--To exempt certain corporations from permit fees, public swimming pools.

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Passed second consideration and referred to Committee on Commerce.

House Bill No. 1232--To provide services and protection, indigent defendants.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1233--To increase fine, vandalism of cemeteries.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1234--To create Two Lakes Regional Industrial Development Authority.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1235--To authorize honorary certificates upon retirement, certain professions.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1236--To make certain provisions, school transportation.

Passed second consideration and referred to Committee on Education.

House Bill No. 1237--To provide for cost of certain autopsies.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1238--To provide insurance benefits, certain employees.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1239--To provide insurance for certain retirees.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1240--To define costs allowable in civil actions.

Passed second consideration and referred to Committee on Judiciary.

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House Bill No. 1241--To regulate deposit of state funds.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1242--To define alcoholic beverages.

Passed second consideration and referred to Committee on State and Local Government.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution No. 466; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

REQUEST TO REMOVE NAME

Mr. Speaker:

I am listed as prime sponsor on HB 374. This bill was sent to us by the County Commission. The question this bill is trying to solve is not in my district; therefore, I request that my name be removed as prime sponsor but remain on the bill.

Mayo Wix.

SPONSOR ADDED

Without objection, the rules were suspended to allow the following member to add his name as sponsor to the resolution indicated below, the prime sponsor having agreed to such addition:

House Joint Resolution No. 456--Murphy.

LOCAL BILL TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bill, having received authorization for passage by the local legislative delegation, was transmitted to the Committee on Calendar and Rules: House Bill No. 1217.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills

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on the Consent Calendar for Wednesday, January 22, 1986: Senate Joint Resolutions Nos. 213, 215, 216; House Joint Resolution No. 452, 454, 455, 456, 457, 458 and House Bill No. 1217.

GILL, Chairman.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolutions Nos. 447, 448, 449, 450 and 451; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

On motion of Mr. Naifeh, the House adjourned until 3:00 p.m. tomorrow.